

RHODE ISLAND TALL SHIPS FESTIVAL

NEWPORT RHODE ISLAND

JULY 15 - 19 2004

SECURITY AND SAFETY ZONES

In accordance with RIGL §46-22-13.1, the Director of the Department of Environmental Management has established regulated navigation areas, anchorage grounds, safety and security zones in and adjacent to Narragansett Bay, Newport, Rhode Island for the Tall Ships Rhode Island 2004 festival.

These safety/security zones will provide for the safety of life and property on the navigable waters of the United States and for the security of participating Tall Ships during the Tall Ships Rhode Island 2004 festival, Narragansett Bay, Newport Rhode Island.

There will be vessels participating in the event from several foreign countries as well as vessels from the United States. The high visibility of this event warrants that both safety and security zones be established to safeguard participating vessels, their crews and the maritime public from sabotage or other subversive acts, accidents, or other hazards of a similar nature.

This action will restrict vessel traffic in portions of and adjacent to Narragansett Bay and Newport Harbor. Furthermore, because of the potential security risk due to the number of spectator craft that will be transiting Newport Harbor to view the visiting tall ships from the water, it has been determined

that these safety/security zones fall into the category of a public safety emergency and will be extended to cover the entire time period of the Tall Ships Rhode Island 2004 Festival.

DATES: This rule is effective from 8 a.m. July 15 through 8 p.m. July 19, 2004.

For further information contact:

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BACKGROUND AND PURPOSE

Newport, Rhode Island, will host the Tall Ships Rhode Island 2004 festival from July 15-19, 2004. This visit of Class A, B and C sailing vessels is part of an annual series of sail training races, rallies, cruise and port festivals organized by the American Sail Training Association in conjunction with host ports in the United States and Canada.

The Tall Ships visit to Newport, which will occur from July 15-19, 2004, will include a Parade of Sail on July 19, 2004. Approximately 30 Class A, B and C vessels are expected to participate in the Parade of Sail. These safety/security zones will provide for the safety of life and property on the navigable waters of the State by preventing the large number of spectator vessels from interfering with the organized Parade of Sail.

This regulation will create vessel movement controls and safety and security zones for the Parade of Sail. The safety/security zones will be in effect beginning on July 15, 2004 until July 19, 2004. Vessel congestion due to the large number of participating and spectator vessels poses a significant threat to the safety of life and property.

SAFETY AND SECURITY ZONES

The Director will establish 4 temporary safety/security zones in Newport Harbor from July 15-19, 2004. Safety/security zone 01 is needed to protect the maritime public and participating vessels from hazards to navigation associated with numerous spectator craft approaching moored Tall Ships berthed at Goat Island for the Tall Ships Rhode Island 2004 festival. In addition the following restriction applies to Newport Harbor; no person shall operate a vessel not under power, north of a line intersecting Christie's dock and the southern most tip of Goat Island.

Safety/security zone 01 includes all waters in a zone immediately adjacent to, and then out to 125 yards outboard of, all participating Tall Ships berthed at Goat Island. This Regulated Navigation Area will be effective from 8 A.M. on July 15, 2004, to 8 p.m. on July 19, 2004.

Vessels transiting zone 01 must do so at no wake speed, and at speeds of no less than 3 MPH but not to exceed 5 MPH. Vessels transiting zone 01 must not maneuver within 20 yards of a moored Tall Ship, unless authorized by the Director of the Department of

Environmental Management or the Directors on-scene representative. On-scene representatives are Environmental Police Officers, State Police, local police and harbormasters assigned to patrol duty for this event.

Vessels must also enter the safety/security zone in a counterclockwise direction, proceed north to a turning point south of the causeway, then proceed south and exit the area to the left side of the entrance.

Safety/security zone 2 is needed to protect the maritime public and participating vessels from hazards to navigation associated with numerous spectator craft approaching the moored Coast Guard Cutter (CGC) Barque EAGLE berthed at State Pier 9, Newport, for the Tall Ships Rhode Island 2004 festival.

Zone 2 includes all waters in the area immediately adjacent to, and then out to 125 yards outboard of, the CGC EAGLE berthed at State Pier 9. Therefore, in some areas zone 2 will overlap zone 1. This Regulated Navigation Area will be effective from 9 A.M. on July 16, 2004, to 8 p.m. on July 19, 2004.

Vessels transiting zone 2 must do so at no wake speed, and at speeds of no less than 3 MPH but not to exceed 5 MPH. Vessels transiting zone 2 must not maneuver within 20 yards of the CGC EAGLE, unless authorized by the Director of the Department of Environmental Management or the Director's on-scene representative. On-scene representatives are Environmental Police Officers, State Police, local police and harbormasters assigned to patrol duty for this event.

Safety/Security zone 3 is needed to protect the Tall Ships and the maritime public during the staging of the tall ships prior to the start of the parade of sail and is broken down into two separate areas. The "staging area" where the parade participants will congregate prior to the parade start includes all waters within a zone, which would extend in a 1000 yard radius from a point at latitude 41-25'00"N, longitude 71-23'00"W. No unauthorized vessels will be allowed to transit within this area.

Safety/security zone 4 will be a "Picket Line" and will encompass the majority of the East Passage, Narragansett Bay, and is composed of 26 sectors defined by latitude and longitude or a visual reference (buoys, Newport Bridge, Etc). No unauthorized vessels will be allowed to transit within this area. Vessels less than ten (10) feet in length and all canoes and kayaks will not be allowed within 200 yards of the "picket line" since their presence will dramatically decrease "crowd control" capability, thus creating further safety and security concerns for all.

Safety and Security Zone 4 "Picket Line" covers all waters of the East Passage, Narragansett Bay, within the following boundaries: Beginning at position 41°27'19"N, 71°23'08"W, which marks the western end of the Parade of Sail start line, then northward to the Lighted Gong Buoy "7" (LLNR 17800) in approximate position 41°28'18"N, 71°22'14"W, then to the Lighted Gong Buoy "9" (LLNR 17805) in approximate position 41°28'38"N, 71°21'15"W, then to the Lighted Bell Buoy "11" (LLNR 17810) in

approximate position 41°29'00"N, 71°21'00"W, then to position 41°29'37"N, 71°21'25"W, then to position 41°30'20", 71°21'05"W below the Pell/Newport Bridge, then to position 41°31'07"N, 71°21'17"W, then to position 41°31'49"N, 71°21'26"W, then to position 41°32'30"N, 71°21'22"W, then to position 41°33'00"N, 71°21'17"W, then to the U.S. Navy Buoy "E" in approximate position 41°33'38"N, 71°21'00"W, then to the U.S. Navy Buoy "F" in approximate position 41°33'52", 71°20'27"W, then to the charted Halfway Rock in position 41°33'48"N, 71°19'55"W. The Safety and Security Zone 4 "Picket Line" will continue southward to position 41°33'14"N, 71°19'12"W, then to position 41°32'28"N, 71°19'30"W, then to position 41°31'56"N, 71°19'42"W, then to the Lighted Bell Buoy "14" (LLNR 17940) in approximate position 41°31'00"N, 71°20'04"W, then to the Seventeen-Foot Spot Buoy (LLNR 17930) in approximate position 41°30'25"N, 71°20'08"W, then to position 41°30'15", 71°20'38"W below the Pell/Newport Bridge, then to Buoy "12A" (LLNR 17905) in approximate position 41°30'00"N, 71°20'45"W, then to the Lighted Bell Buoy "12" (LLNR 17855) in approximate position 41°29'40"N, 71°20'41"W, then to the Rose Island South Point Buoy "1" (LLNR 17860) in approximate position 41°29'36"N, 71°20'24"W, then to the Mitchell Rock Gong Buoy "3" (LLNR 17865) in approximate position 41°29'34"N, 71°20'11"W, then to the Goat Island Southwest Buoy "1" (LLNR 17825) in approximate position 41°28'57"N, 71°19'14"W, which

marks the northern entrance to Regulated Navigation Areas C and D. The Picket Line continues southward from position 41°28'36"N, 71°19'07"W, which marks the southern entrance to Regulated Navigation Areas C and D, then to position 41°28'23"N, 71°20'57"W, then to position 41°27'56"N, 71°21'44"W, then to the Bell Buoy "6" (LLNR 17790) in approximate position 41°27'27"N, 71°21'57"W, then to position 41°26'57", 71°21'57"W, which marks the eastern end of the Parade of Sail start line. This Safety and Security Zone will be used for the Tall Ship parade route and is effective from 8 a.m. until 8 p.m. on July 19, 2004.

Penalties

Violations of these safety zones can result in fines and penalties as defined in RIGL Title 46-22-13.1(c). Any person who violates any provision of this section shall be guilty of a misdemeanor and shall be subject to imprisonment not to exceed one year or a fine not to exceed one thousand dollars (\$1000), or both for each violation.

Director,

Date

We feel this proposed safety zone will give the Director the tools to ensure the safety of all vessels participating in the Newport Tall Ships 2004 festival as well as spectators and recreational craft enjoying the event.